

REMARKS

Favorable reconsideration and allowance of the subject application are respectfully requested. Claims 2-12 and 18-38 are pending in the present application with claims 3, 18, and 38 being independent.

Double Patenting

The Examiner rejected: claims 2, 3, 4, 6, 7, 20, 21, and 38 under the judicially created doctrine of obviousness type double patenting as being unpatentable over claims 4-14 of Fjeldstad et al. (US 6,558,851) in view of Okushko et al. (SU 1807444) and Schwertz (US 3,318,698); and claims 2-12 and 18-38 under the judicially created doctrine of obviousness type double patenting as being unpatentable over claims 4-14 of Fjeldstad et al. in view of Okishko et al., Schertz, and further in view of Cherkasov et al. ("Photothermoplastics for spectral holography," Opt & Laser Technol. Vol. 28(4) pp. 219-293), Kuvshinskij et al. (SU 1805445), and Levy et al. (US 4,101,321). These rejections are respectfully traversed insofar as they pertain to the presently pending claims.

As previously noted, Fjeldstad et al. is commonly owned. Thus, because Applicants submit herewith a Terminal Disclaimer, Applicants respectfully request that the Examiner withdraw the double patenting rejections.

Conclusion

In view of the above remarks, this application appears to be in condition for allowance and the Examiner is, therefore, requested to reexamine the application and pass the claims to issue.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Martin Geissler (Reg. No. 51,011) at the telephone number below, which is located in the Washington, DC area.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By _____

Michael K. Mütter, Reg.#29,680

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

MKM/MRG:tm
4494-0104P

Attachment: Terminal Disclaimer